

Before the
FEDERAL COMMUNICATION COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Request for Review by Colegio Nuestra)	
Senora Del Rosario on Decision of)	Form 471 Application No. 420579
the Universal Service Administrator)	
)	
Schools and Libraries Universal Service)	CC Docket No. 02-6
Support Mechanism)	
)	

TO: Wireline Competition Bureau

REQUEST FOR REVIEW

Pursuant to Sections 54.719(c) and 54.721 of the Federal Communications Commission ("Commission" or "FCC") rules, 47 C.F.R. §§ 54.719(c) and 54.721 (2003), Colegio Nuestra Senora del Rosario ("Colegio NS del Rosario") hereby appeals the decision of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company to reduce the requested discount in Funding Year 2004 (07/01/2004 – 06/30/2005) from 80% to 20%.

I. BACKGROUND

On February 4, 2004, Colegio NS del Rosario filed an FCC Form 471 with the SLD listing the services for which it was requesting discounts under the schools and libraries universal service support mechanism (the "E-rate program").¹ On August 11, 2004, Colegio NS del Rosario received from the SLD the E-rate Selective Review Information Request for funding year 2004². By October 18, 2004, Colegio NS del Rosario submitted by fax to the SLD's

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¹ FCC, Form 471 No. 420579 for Colegio Nuestra Señora del Rosario, filed 02/04/2004 (Exh. A).

² Selective Review from Celia Zheng-PIA Selective Review, dated August 11, 2004. (Exhibit B)

reviewer the answers concerning the Selective Review.³ On November 03, 2004, Colegio NS del Rosario was inquired by the Consorcio to provide a socio economical study as per an SLD's PIA reviewer requesting the study for all of the Consorcio School members.⁴ Specifically, the information request, which was delivered to Colegio NS del Rosario, requested the following information:

1. The total number of enrolled.
2. Total number of surveys/applications sent out
3. Number of survey/application returned
4. Total number of students that qualifies for the National School Lunch Program, using the Income Eligibility Guidelines (IEG) of the NSLP, per returned surveys/applications
5. Are the surveys/applications and results kept on file.
6. Provide a sample copy of the FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
7. A signed certification that reads: "I certify that only those students who meet the Income Eligibility of the National School Lunch Program have been included in Column 5 of item 10b, Block 4 (Worksheet A) of the Form 471."
8. The information must be in writing on the school letterhead and signed by a school official (such as the Principal, Vice – Principal Superintendent, Director of Food Services.

In its response, Colegio NS del Rosario indicated that there were 272 students enrolled, that 272 surveys/applications were sent out and that 266 surveys/applications were returned. It also indicates from those survey/applications returned, 152 students qualifies for the NSLP, that the surveys/applications and its results are kept on file and certified, that only the students who meet the IEG of the NSLP had being included in Column 5 item 10b of block 4 (worksheet A) of the Form 471. Colegio NS del Rosario also provided a sample copy of the socio-economic

³ See Response to Selective Review sent by fax addressed to Celia Zheng-PIA Selective Reviewer, dated October 18, 2004 (Exhibit C).

⁴ See fax addressed to Madeline Melgen from Nancy Rocco, PIA Reviewer, dated November 03, 2004 (Exhibit D).

survey. On the socio economical study provided, Colegio NS de Rosario provided evidence that qualifies the school for an 80% of discount.⁵

On February 04, 2005 the PIA requested additional information regarding the Selective Review,⁶ specifically on the school's budget and software information related to the Selective Review. Colegio NS del Rosario complied immediately answering on **[Insert Date of document]**⁷

On March 24, 2005, Colegio NS del Rosario received a Funding Commitment Decision Letter stating as the decision and explanation to reduce the requested discount the following statements: *FRN approved; modified by SLD. The site-specific discount was corrected.*

II. COLEGIO NS DEL ROSARIO SUSTAINED ITS ELIGIBILITY FOR THE SERVICES AND PERCENTAGE DISCOUNT BEING REQUESTED.

The SLD states the FCDL that "*FRN approved; modified by SLD. The site-specific discount was corrected*". Colegio NS del Rosario provided all the information and documentation the PIA requested during the Application No. 420579 selective review. Such information and documentation was sufficient to validate Colegio NS del Rosario eligibility for the services solicited and the percentage discount requested.

⁵ See letter dated December 10, 2004 (Exhibit E)

⁶ See fax addressed to Madeline Melgen from Bob Leipow, PIA Reviewer, dated February 04, 2005 (Exhibit F).

⁷ See fax addressed to Bob Leipow from Mariglorie Zapata, dated February 14, 2005. (Exhibit G)

III. THE SLD ERRED IN FAILING TO FOLLOW FCC PRECEDENT THAT REQUIRES THE SLD TO CONTACT COLEGIO NS DEL ROSARIO TO REQUEST DOCUMENTATION TO SUPPORT THE REQUESTED DISCOUNT

In answering the PIA selective review questions, Colegio NS del Rosario provided the PIA reviewer the information and/or documentation requested. Such information/documentation demonstrated the eligibility for the requested discount. In the event the SLD, when evaluates the documentation provided by the applicants, any doubt or issue arise should ask for additional information and/or documentation to clarify such doubt or concern. In this case the SLD did not requested Colegio NS del Rosario additional information, thus the SLD denied the applicant the opportunity to provide documentation to support statement in their review.

Consistent with the information posted at

<http://www.sl.universalservice.org/reference/AppealsSLDGuidelines.asp>, item 3 clearly states that: "When the appeal provides documentation to correct an incorrect SLD assumption made because there was insufficient information in the application file about an issue. In general, PIA will contact the applicant and ask for all information necessary to make decisions about an application. If that contact does not occur, however, and funding is denied based on an incorrect assumption, the SLD will grant an appeal when the appellant points out the incorrect assumption and provides documentation about the issue that is consistent with information originally provided but also successfully resolves the ambiguity in the original file".

IV. THE SLD ERRONEOUSLY CONCLUDED THAT COLEGIO NS DEL ROSARIO FAILED ON PROVIDING SUFFICIENT DOCUMENTATION TO DETERMINE ELIGIBILITY.

Colegio NS del Rosario, in a timely manner, submitted to the SLD the information and documentation requested. Such information the school understood was enough to support the funding request for an 80% discount.

The SLD erred on denying the 80% discount to Colegio NS del Rosario without asking for any additional information and or documentation to clarify any doubts or inconsistency.

V. CONCLUSION

Colegio NS del Rosario for the reasons mentioned above states that, the SLD erred in their decision and we respectfully request the Commission to reverse the SLD's decision of reducing the discount percentage and grant its application to be funded at an 80% discount.

Respectfully submitted,

COLEGIO NUESTRA SENORA DEL ROSARIO

/s/ Elba I. Soto

Elba I. Soto

Principal, Colegio Nuestra Senora del Rosario

Calle 5 AA-7

Reperto Valencia

Bayamon, PR 00619

Tel: 787-798-5100

Fax: 787-259-7551

May 17, 2005



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2004: 07/01/2004 - 06/30/2005)

March 24, 2005

Madeline Melgen Ed D
Colegio Nuestra Senora del Rosario
Road 177 Building 2021
Camino Alejandrino
Guaynabo, PR 00969-5140

Re: Form 471 Application Number: 420579
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 200599
Applicant's Form Identifier: TEL200599

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$4,055.20 is "Approved."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (ERNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date

of the FCDL. Your letter of appeal must also include the Billed Entity Name, the Form 471 Application Number, and the Billed Entity Number from the top of your letter.

3. When explaining your appeal, copy the language or text from the Funding Commitment Report that is at the heart of your appeal, to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of either the e-mail or fax filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, sent to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connection requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on your Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The date services were reported to start for this FRN on your Form 471.

CONTRACT EXPIRATION DATE: The date the contract expires. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FUNDING COMMITMENT REPORT

Form 471 Application Number: 420579
Funding Request Number: 1158969 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143012431 Service Provider Name: Puerto Rico Telephone Company, I
Contract Number: T
Billing Account Number: 787-798-5100
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Site Identifier: 200599
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,620.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,620.00
Discount Percentage Approved by the SLD: 20%
Funding Commitment Decision: \$324.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected.

Funding Request Number: 1158991 Funding Status: Funded
Services Ordered: Internet Access
SPIN: 143022659 Service Provider Name: A New Vision in Educational Serv
Contract Number: MTM
Billing Account Number: 200599
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Site Identifier: 200599
Annual Pre-discount Amount for Eligible Recurring Charges: \$12,636.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$6,020.00
Pre-discount Amount: \$18,656.00
Discount Percentage Approved by the SLD: 20%
Funding Commitment Decision: \$3,731.20 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected.

USAC

Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981

TIME SENSITIVE MATERIAL

00499
Madeline Melgen Ed D
Colegio Nuestra Senora del Rosario
Road 177 Building 2021
Camino Alejandrino
Guaynabo, PR 00969-5140



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IMPORTANT REMINDERS & DEADLINES

Date: March 24, 2005
471 : 420579
BEN : 200599

The following information is provided to assist you throughout the application process. We recommend that you keep it in an easily accessible location and that you share it with the appropriate members of your organization.

FORM 486 DEADLINE - The Form 486 must be postmarked no later than 120 days after the Service Start Date you report on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If you are required to have a Technology Plan, that plan must be approved by the start of service for this funding year, you must indicate the SLD Certified Technology Approver who approved your plan and you must retain your approval letter and documentation of your monitoring of the progress toward your stated goals.

CHILDREN'S INTERNET PROTECTION ACT (CIPA) - You must be in compliance with CIPA and cannot request a waiver, if FY2004 is your Third Funding Year for the purposes of CIPA.

INVOICE DEADLINE - Invoices must be postmarked no later than 120 days after the last date to receive service - including extensions - or 120 days after the date of the Form 486 Notification Letter, whichever is later. Invoices should not be submitted until the invoiced products and services have been delivered and billed, and (for BEAR Forms) the provider has been paid.

OBLIGATION TO PAY NON-DISCOUNT PORTION - Applicants are required to pay the non-discount portion of the cost of the products and/or services. Service providers are required to bill applicants for the non-discount portion. The FCC has stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If you are using a trade-in as part of your non-discount portion, please refer to the SLD web site.

RETAIN DOCUMENTATION - Applicants must retain documentation, including but not limited to, documents showing:

- compliance with all applicable competitive bidding requirements,
- products and/or services delivered (e.g., customer bills detailing make, model and serial number),
- resources necessary to make effective use of E-rate discounts, including the purchase of equipment such as workstations not eligible for support,
- the specific location of each item of E-rate funded equipment, and
- the applicant has paid the non-discount portion.

These documents must be retained and available for review for 5 years.

SUSPENSION AND DEBARMENT - Persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the Schools and Libraries Support Mechanism are subject to suspension and debarment from the program.

FREE SERVICES ADVISORY - Applicants and service providers are prohibited from using the Schools and Libraries Support Mechanism to subsidize the procurement of ineligible or unrequested products and services, or from participating in arrangements that have the effect of providing a discount level to applicants greater than that to which applicants are entitled.

Complete program information - including more information on these reminders - is posted to the Schools and Libraries Division (SLD) web site at www.sl.universalservice.org. You may also contact the SLD Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

HELP

FCC Form 471

Services Ordered and Certification Form



Applicant's Form Identifier: TEL200599

Entity Number: 200599

Contact Person: Madeline Melgen Ed D Phone Number: (787) 731-6100 Ext. 234

Please record this application's information in a secure place for future reference

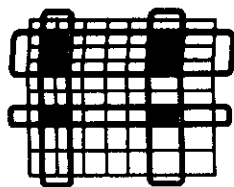
471 Application Number: 420579

Entity Number of Billed Entity (Applicant): 200599

Security Code Number: 26697

Continue >>

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NEVESEM, INC.

MSC 608, 138 Ave. Winston Churchill, San Juan, P.R. 00926-6023
Tel.(787) 706-2700

Date: December 18, 2003
To: Colegio Nuestra Señora del Rosario
Bayamón, PR
Entity #: 200599
Application #: _____

Year 2004 Quote

Item 21 Attachment

Internet Access

Bundled Services	Initial Charge	Monthly Charge	Annual Charge
256 Kbps Access & Transport		\$ 895	\$ 10,740
Internet Service Maintenance		\$ 158	\$ 1,896
Basic User Training	\$ 1,150		
Setup Charge (Installation)	\$ 4,050		
Project Management	\$ 820		
Total	\$ 6,020	\$ 1,053	\$ 12,636
Grand Total	\$		18,656

**Schools and Libraries Universal Service Program
Services Ordered and Certification Form 471
Application Display**

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Block 1: Billed Entity Information

Applicant's Form Identifier:

TEL200599

471 Application Number:
420579

Funding Year: 07/01/2004 -
06/30/2005

Billed Entity Number:
200599

Cert. Postmark Date:

Form Status: INCOMPLETE

RAL Date:

Out of Window Letter Date:

Name: Colegio Nuestra Senora del Rosario

Address: Ave. Orquidea Reparto Valencia

City: Bayamon **State:** PR **Zip:** 00959

Phone: 787-798-5100 **Ext:**

Fax: --

E-mail:

Contact Name: Madeline Melgen Ed D

Address: Road 177 Building 2021, Camino Alejandrino

City: Guaynabo **State:** PR **Zip:** 00969 5140

Contact Phone: 787-731-6100 **Ext:** 234

Contact Fax: 787-731-0000 **Ext:**

E-mail: mmelgen@escuelascaticas-sj.org

Contact Mode: FAX

Alternate Contact Info.: via e-mail

Type of Application: SCHOOL

Ineligible Orgs: N

Block 3: Impact of Services Ordered in THIS Application

Number of students to be served: 272

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	4	4
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	0	3
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	0	256
d. Dial-up Internet connections: How many before and after your order?	0	1
e. Dial-up Internet connections: Highest speed before and after your order?	0	56
f. Direct connections to the Internet: How many before and after your order?	0	1
g. Direct connections to the Internet: Highest speed before and after your order?	0	256
h. Internet access(for schools): How many rooms have Internet access before and after your order?	0	14
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	0	23

Block 4: Worksheets

Worksheet A No: 587317 **Student Count:** 272

Weighted Product (Sum. Column 8): 217.6

Shared Discount: N/A

1. School Name: Colegio Nuestra Senora del Rosario

2. Entity Number:
200599

3. Rural/Urban: Urban

4. Student Count:
272

5. NSLP Students:
152

6. NSLP Students/Students: 55.882%

7. Discount: 80%

8. Weighted Product: 217.6

Block 5: Discount Funding Request(s)

FRN: 1158969		FCDL Date:	
11. Category of Service: Telecommunications Service		12. 470 Application Number: 114490000470468	
13. SPIN: 143012431		14. Service Provider Name: Puerto Rico Telephone Company, Inc.	
15. Contract Number: T		16. Billing Account Number: 787-798-5100	
17. Allowable Contract Date: 01/01/2004		18. Contract Award Date:	
19a. Service Start Date: 07/01/2004		19b. Service End Date: 06/30/2005	
20. Contract Expiration Date:			
21. Attachment #: 1		22. Block 4 Entity Number: 200599	
23a. Monthly Charges: \$135.00		23b. Ineligible monthly amt.: \$.00	
23c. Eligible monthly amt.: \$135.00		23d. Number of months of service: 12	
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$1,620.00			
23f. Annual non-recurring (one-time) charges: \$.00		23g. Ineligible non-recurring amt.: \$.00	
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00			
23i. Total program year pre-discount amount (23e + 23h): \$1,620.00			
23j. % discount (from Block 4): 80			
23k. Funding Commitment Request (23i x 23j): \$1,296.00			

FRN: 1158991		FCDL Date:	
11. Category of Service: Internet Access		12. 470 Application Number: 114490000470468	
13. SPIN: 143022659		14. Service Provider Name: A New Vision in Educational Services and Materials (NEVESEM)	
15. Contract Number: MTM		16. Billing Account Number: 200599	
17. Allowable Contract Date: 01/01/2004		18. Contract Award Date:	
19a. Service Start Date: 07/01/2004		19b. Service End Date: 06/30/2005	
20. Contract Expiration Date:			
21. Attachment #: 2		22. Block 4 Entity Number: 200599	
23a. Monthly Charges: \$1,053.00		23b. Ineligible monthly amt.: \$.00	
23c. Eligible monthly amt.: \$1,053.00		23d. Number of months of service: 12	
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$12,636.00			
23f. Annual non-recurring (one-time) charges: \$6,020.00		23g. Ineligible non-recurring amt.: \$.00	
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$6,020.00			

\$0,020.00

23i. Total program year pre-discount amount (23e + 23h): \$18,656.00

23j. % discount (from Block 4): 80

23k. Funding Commitment Request (23i x 23j): \$14,924.80

Block 6: Certifications and Signature

24a. Schools: Y

24b. Libraries or Library Consortia: N

26a. Individual Technology Plan: N

26b. Higher-Level Technology Plan(s): Y

26c. No Technology Plan Needed:

27a. Approved Technology Plan(s): Y

27b. State Approved Technology Plan: N

27c. No Technology Plan Needed:

36. Printed Name of Authorized Person: ELBA I. SOTO

37. Title or Position of Authorized Person: PRINCIPAL

38a. Address: AVE. ORQUIDEA

REPARTO VALENCIA

City: NAYAMON State: PR Zip: 00959

38b. Telephone Number of Authorized Person: (787) 798-5100 ext.

38c. Fax Number of Authorized Person: (787) 269 - 7551

38d. Email address of Authorized Person:

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Universal Service Administrative Company
Schools & Libraries Division

**E-RATE SELECTIVE REVIEW INFORMATION REQUEST
FUNDING YEAR 2004**

CASE # SR-2004-200599

To:	Madeline Melgen Ed D	From:	Celia Zheng
Your Phone Number:	787-731-6100	My Phone Number:	973-428-7340
Your Fax Number:	787-731-0000	My Fax Number:	973-599-6515
Entity Name:	Colegio Nuestra Senora del Rosario	My E-Mail Address:	czheng@sl.universalservice.org
Today's Date:	08/11/2004	Total Pages:	16
PLEASE RESPOND BY:	08/25/2004		
Form 471 Application Number(s):	420324, 420579		

**PLEASE CALL TO CONFIRM THAT
THIS DOCUMENT HAS BEEN RECEIVED IN ITS ENTIRETY.**

Time Sensitive – 14-Day Response Expected

It is important that we receive all of the information requested within 14 calendar days of the date of this document so that we may complete our review of your funding request(s).

Who can respond to this request for information

This document requests information that must be provided by the applicant, or by the applicant's authorized representative. If the applicant is responding to this document, it must return the enclosed certification (Fax Back Page 4) to the Schools and Libraries Division (SLD) along with the requested material. If the applicant's authorized representative is responding to this document, the authorized representative must sign and return (1) the enclosed certification to SLD along with the requested material AND (2) a letter of agency or other agreement between the applicant and consultant authorizing them to act on the school or library's behalf.

How to respond

Please send your responses to the questions outlined on the following pages to:

Via Fax:	Via Expedited Mail:	Via email:
Celia Zheng PIA Selective Review 973-599-6515	Celia Zheng SLD 80 S. Jefferson Road Whippany, NJ 07981	czheng@sl.universalservice.org

Thank you for your assistance as we work to assure the integrity of the Schools and Libraries Universal Service Support Mechanism. It is important that we receive all of the information requested within 14 calendar days. A checklist of the items requested in this document is included on Fax Back Page 4.

If you have any questions with regard to this request or these worksheets, please contact the reviewer at the phone number or email address listed above.

Dear E-Rate Applicant:

In order to ensure that applicants are following certain FCC rules relating to certification statements and competitive bidding processes, you have been selected for a two-part review (Selective Review). We are seeking information about (1) your competitive bidding and vendor selection processes, and (2) information to support the certification you made on FCC Form 471, Item 25, that you have secured access to all of the necessary resources to make effective use of the requested products and services.

Both parts of the Selective Review take place at the billed entity level. An entity is considered a "billed entity" if it is responsible for making payments directly to a service provider. An entity that receives a bill, but does not make payments to the service provider on that bill, is not a billed entity. We will be requesting, and looking at information for ALL Form(s) 471 filed for the 2004-2005 funding year (Funding Year 2004) that were filed by the billed entity listed on the cover page of this document. Please notify us if you have additional Form(s) 471 for your billed entity number that we have not listed. The review will include those as well. It is important that you identify these additional applications at this time. Failure to do so may delay or jeopardize funding commitments and/or post-commitment disbursements. In addition, it may also result in future adjustments to any commitments that you may receive from us, or other action.

Part I: Information Regarding the Competitive Bidding Process and Vendor Selection

For each of the following items we have outlined the requested documentation you will need to supply. Please provide the information by funding request number (FRN) unless otherwise indicated. In the event that a document (e.g., contract, RFP, bid response, etc.) applies to multiple FRNs, simply indicate which FRNs the document supports on the first page of the document. If for any reason you do not have any of the documentation requested below, you **MUST** explain why.

Special Note Regarding State Master Contracts (SMC):

Remember that the filer of the Form 470 – whether state or applicant – must comply with all FCC requirements and local and state procurement laws, and that applicants must follow the applicable provisions of the State Master Contract and local and state procurement laws.

If you are procuring goods or services off a State Master Contract, and the state filed a Form 470 that lead to the award of that State Master Contract, you do not need to provide the competitive bidding and vendor selection documentation. If this is the case for some or all of your FRNs, please indicate such on your response. If, however, you filed one or more Forms 470 and then used the State Master Contract as a bid response, you must provide full documentation about your competitive bidding process and vendor selection.

Finally, note that the State Master Contract in all of the following cases fulfills the FCC signed contract requirement, and it is not necessary for you to submit a copy of the State Master Contract with your response.

1) Requests for Proposal (RFP)

- a) Copies of any and all requests for proposals (RFPs), invitation to bid, request for bids, or other documentation of bid requests for services and/or products requested, or other solicitations in any way associated with the applicant's funding request(s) and/or the selection of the service provider(s) that appear(s) on the applicant's funding request(s). Be sure to include any and all amendments made to the original RFP.
- b) You do not need to provide copies of FCC Form(s) 470 that were posted to the SLD website.
- c) If RFPs, etc., are not provided, please explain why you have not provided them.

2) Bid Responses

- a) Complete copies of any and all proposals, bid responses, etc., received in response to the Form 470, and/or any RFP, or other solicitation in any way associated with the applicant's funding request and/or with the selection of the service provider that appears on the applicant's funding requests. Again, this information should be provided for all funding requests including tariff, month-to-month and contracted services.

3) Vendor Selection Process

- a) How many bids were received for each FRN Telecommunications, Internet Access and Internal Connections)?
- b) Complete documentation indicating how and why you selected your service provider(s). This documentation should include:
 - i) a description of your evaluation process,
 - ii) the factors you used to determine the winning bid, and
 - iii) attendance sheets for any meetings regarding the Form 470 and/or RFP or other solicitation vehicles.
- c) If more than one factor was used in the evaluation process to determine the winning bid(s) please indicate how those factors were weighted (points or percentage) in the evaluation process.

4) Contracts and/or other agreements

- a) Signed and dated copies of any and all agreements related to each of the Form 471 funding request(s), including any and all contracts, agreements, Statements of Work, etc., and any and all agreements between the applicant and the service provider related in any way to the applicant's funding request and/or provision of E-rate related services.
- b) If the price on the contract is different from the pre-discount price on your Form(s) 471, please explain the difference and account for the difference. (For example, if the dollar amount on the contract is higher than the dollar amount on your Form(s) 471, indicate which services have been removed, if that is the case. If the dollar amount on the contract is lower than the dollar amount on your Form(s) 471, explain why).
- c) If the contract referenced on a particular funding request is a state master contract, please indicate that. There is no need to provide us with the state master contract.
- d) If contracts, etc., are not provided, please explain why you have not provided them.

5) Consulting Agreements

- a) Please provide a complete copy of any consulting agreement(s) relating to the planning, implementation, and support of your E-rate funding request(s). If consulting agreement(s) were not used please indicate as such.

6) Correspondence (Email, phone logs, etc.)

- a) Please provide a copy of all correspondence between your entity and any service providers or consultants regarding the competitive bidding process and the application process.

If there is any other documentation that would be helpful to us in our review to ensure that you complied with the Commission's rules requiring a fair and open competitive bidding process, please provide that as well.

Part II: Information Regarding Your Item 25 Certification

Overview

To ensure that E-Rate funds are allocated appropriately, and in accordance with FCC Orders, each applicant is required to certify in Item 25 of the Form(s) 471 that: "The school(s) or library(ies) I represent have secured access to all the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services." The Item 25 Certification review also looks at the applicant's ability to pay for its share of E-rate funding. In the course of the Item 25 Certification review we will ask for:

- documentation of your ability to pay for your share of E-Rate discounts and estimates of non-E-Rate eligible resources that you might use to meet this certification.
- your estimates of hardware, software, professional development, retrofitting, and maintenance investments that might not be E-Rate eligible, but are necessary to make effective use of the E-Rate discounts you have requested.
- a copy of the technology plan that supports your Funding Year 2004 (July 1, 2004 through June 30, 2005) funding requests.
- an estimate of the technology level of all schools or libraries within your organization following E-Rate.

If you identified additional application(s) not listed on the cover page of this document, you will also need to make an adjustment to the amounts we listed in the *Item 25 Worksheet Summary* Sections I-A and I-B. Please make the adjustment on the worksheet, initial it, and explain the adjustment when you return that worksheet.

Instructions for Completing the Item 25 Worksheet Summary: Fax Back Page 1

The *Item 25 Worksheet Summary: Fax Back Page 1* can be found on page 13 of this document. These instructions go with pages 12, 13, and 14 of this document. They are meant to help you complete and return those pages, and the necessary documentation noted below.

Special note to Consortium applicants: You have an option to provide us with the information requested below for the overall Consortium, or on a disaggregated basis with information pertaining to each individual entity listed on the Form(s) 471 Block 4 Worksheet C.

We understand that some consortia applicants do not collect the information requested in Sections I-VI below on a consortium basis. Therefore, you have the option of providing us with the requested information on a disaggregated basis. To do so, please make one copy of the *Item 25 Worksheet Summary: Fax Back Page 1* for each Block 4, Worksheet C entity (usually a school or library district). Be sure to complete the section at the very bottom of that page that identifies the entity. Note that in order to use this disaggregate method, you will also need to take the dollars that we have entered in to Section I-B and apportion them appropriately to each Block 4, Worksheet C entity.

Please also note that the FCC held in *Central Minnesota Computing Center (DA 01-776)* that consortium applicants must be able to provide information supporting the Item 25 certification for all of the members of their consortium, even if the resources are not under the direct control, or the responsibility, of the consortium leader.

Please contact the Selective Review team if you need further assistance in responding to this request on a disaggregated basis.

Section I: Connectivity

Subsection I-A. Commitment Amount Requested

We have looked at the Form(s) 471 that you filed for Funding Year 2004. We combined the commitment amounts that you requested on those Form(s) 471, by service category (the amount(s) from Form(s) 471, Block 5, Item 23k). We placed those sums next to the respective service category(ies) in Section IA, lines 1, 2, and 3 on the *Item 25 Worksheet Summary: Fax Back Page 1*. Please verify that these are the correct sums of the funding request amounts.

If your Funding Year 2004 Form(s) 471 contain duplication to account for Funding Year 2003 funding uncertainties and you do not see that duplication accounted for (i.e., the duplication removed) in the numbers in Sections I-A and I-B, please note that and provide an explanation.

As noted above, this part of the review is based on your ability to pay the non-discounted portion of the funding that you requested on your Form(s) 471. Therefore, unless and until certain FRNs are determined to be non-fundable (e.g., the funding cap prevents funding certain requests), we are asking to see that you have budgeted for all the requests that you listed on all Funding Year 2004 Form(s) 471 that you filed for your billed entity.

Also note that if you have identified Form(s) 471, in addition to those listed on the cover page of this document, please (1) make the necessary adjustments to Subsections I-A and I-B to accurately reflect all Form(s) 471 filed by your billed entity, (2) initial it, and (3) explain the adjustment when you return the worksheet.

Subsection I-B. Form 471 Applicant's Share

In Section I-B of the *Item 25 Worksheet* you are being asked to document the funds you have available to pay for the discounted charges on eligible services. These are funds for paying your share of telecommunications services, Internet access, or internal connections costs after the discount has been applied. The FCC intentionally requires applicants to pay for a portion of their services in order to encourage cost-effective practices. For further information on your obligation to pay this amount, please see "Obligation to Pay Non-Discount Portion" in the Reference Section of the SLD website at www.sl.universalservice.org. Remember that the funds to pay for your share of the E-rate cannot come directly or indirectly from your service provider.

We combined the "applicant share" of the amounts that you requested on Funding Year 2004 Form(s) 471, by service category. The applicant share is also known as the "non-discounted amount," that is, the amount that FCC rules require the applicant to pay. We placed those sums next to the respective service category(ies) in Section I-B line numbers 5, 6, and 7 on the *Item 25 Worksheet Summary: Fax Back Page 1*. Please verify that these are the correct sums of your share of the charges.

For Section I-B of the worksheet, please include the relevant pages of your approved 2004-2005 operating or facilities budget; that is to say, the pages that document your ability to pay your share of the purchased products/services, and the pages that document your revenue. This should include not only the budget line items that you will be referencing, but also a high level summary of your overall operating budget (e.g. total revenues and total expenses). To allow us to conduct our review, please be sure ALL of the following are included on the budget that you fax and/or send to us:

- The name of the entity to which the budget applies (Is it for a school? For a district? For one library outlet? For a library district? For a municipality?)
- The time frame that the budget covers, including a starting date and ending date (e.g., July 1, 2004-June 30, 2005)
- Both revenue and expense line items
- Place an arrow next to each fund/budget line, on BOTH the revenue and expense side of your budget, showing where you have allocated the necessary dollars for your share of E-rate. Please write the specific amount that will come from each fund/budget line. For example, if budget line A0002 contains \$200,000 and \$100,000 will be used to pay your share of E-rate, then please draw an arrow to it and write "E-rate, \$100,000".

Please explain any discrepancies between the Form 471 Applicant Share (Section I-B of the *Item 25 Worksheet Summary: Fax Back Page 1*) and the dollars you identified on the budget that you provide. Failure to do so could delay or jeopardize the processing of your funding.

Also in this section, please provide an explanation of how any budget deficits, state-funding cuts, fund-raising effort shortfalls or other uncertainties will be addressed. Particularly we are looking for assurances that such cuts or shortcomings will NOT result in cutting the financial resources that are budgeted for your applicant share. If they will, we seek assurances, which we may later verify, that an FCC Form 500 would be filed to reduce the funding requests accordingly.

Note: If you provide a final approved budget, we may verify that budget with independent sources.

Alternatives to an approved budget:

If a final, approved budget is not available or is still in the approval process, we will accept certain alternative documentation as delineated below. A letter signed by a school or library official (e.g., superintendent, board president, chief business officer) must accompany the document(s).

The letter should explain (1) what phase of the approval process you are in, (2) whether your share of funding is contingent on any outside action (e.g., voter approval, board approval, state legislation, etc.) and (3) whether in the absence of such outside approval, you anticipate being able to meet your share. Please make sure that the letter identifies the specific amount that you will have available to pay your share. For example, if you have \$100,000 allocated in your budget, make sure that is noted in the letter.

In addition to the letter, we require one of the following items:

- A draft budget for 2004-2005 to include ALL of the following:
 - The name of the entity to which the budget applies (Is it for a school? For a district? For one library outlet? For a library district? For a municipality?)
 - The time frame that the budget covers, including a starting date and ending date (e.g., July 1, 2004-June 30, 2005)
 - Both revenues and expense line items.
 - Place an arrow next to each fund/budget line, on BOTH the revenue and expense side, showing where you have allocated the necessary dollars for your share of E-rate. Please write the specific amount that will come from each fund/budget line. For example, if budget line A0002 contains \$200,000 and \$100,000 will be used to pay your share of E-rate, then please draw an arrow to it and write "E-rate, \$100,000".
- A resolution of a governing Board authorizing the filing of the Form(s) 471 for a given dollar amount, for given services and/or products, and within a given timeframe. For us to consider such a resolution sufficient evidence that your entity has provided for payment of your share of E-rate, the resolution should specify the funding year, the fiscal year, or the school year during which the payment is authorized.
- A signed commitment letter to the applicant from the donor (e.g. school or library foundation), if donations (or other dollars from any contributor) are a source of funding. The letter MUST specify (1) the level and commitment of funds or other resources; (2) the timing of the delivery of such resources, along with a dispositive indication that the resources are for E-rate supported products/services or for items needed to effectively use the discounted services. (The indication as to the use of the resources might come from the donor or be reflected in a Board resolution committing donations to E-rate related purposes.) While your service provider may assist you in locating bona-fide grants, the grants or outside funding organizations must be independent of the service provider.

Subsection I-C. Amounts not covered by E-rate

In Section I-C of the *Item 25 Worksheet* you are asked to indicate the total amount of money that you will pay during Funding Year 2004 for E-Rate eligible products/services for which you are NOT requesting E-Rate funding.